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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/655,346
Filing Date: September 04, 2003
Appellant(s): DUTT ET AL.

Robert C. Kowert
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 2, 2009 appealing from the Office action mailed August 7, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,411,956	NG	6-2002
7,080,119	FELT	7-2006
20040030739	YOUSEFI'ZADEH	2-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-11, 12, 15, 16, 17-18, 21, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng U.S. Patent Number 6,411,956 B1 (hereinafter Ng), and further in view of Felt et al. U.S. Patent Number 7,080,119 B2 (hereinafter Felt).

As per claims 1, 12, 17, 18, 23, Ng discloses a system, comprising: an application server (see Enterprise Java Bean 141 and 142 components on column 3 line 1-10); and one or more of backend systems coupled to the application server (see external database 18 on column 1 line 11-18); wherein the one or more backend systems comprises a plurality data resources; wherein the application server comprises: an application configured to initiate requests for connections with the plurality of data resources (see requests a database connection on column 4 line 10-17); a plurality of data sources configured to provide connections with the plurality of data resources (see table 60 associated a global transaction identifier with a physical connection on column

4 line 1-10); and wherein the application server is configured to associate an identity with each of the plurality of data sources and to use the identity to determine whether one of the plurality of data sources provides connections to the same data resource as another of the plurality of data sources (see determine connection association on column 4 line 15-27).

Ng does not disclose expressly the use of distinct data resources and use of an identifier to delegate the task to a distinct data sources. Felt teaches the delegation of a commit server and participating server from a plurality of servers to fulfill the request of the client request in a JDBC network environment (see selecting a commit server and participating server on column 8 line 60 to column 9 line 14). Ng and Felt are analogous art because they are from the same field of endeavor, JDBC network management system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate distinct data resources to fulfill client application requests. The motivation for doing so would have been to select the best suitable distinct data resources to perform the requested task. Therefore, it would have been obvious to combine Ng with Felt for the benefit of using plurality of distinct data resources to obtain the invention as specified in claims 1, 12, 17, 18, 23.

As per claim 2, Ng discloses the system as recited in claim 1, wherein in response to the application requesting a connection from one of the plurality of data sources, a data source ID manager is configured to ascertain the identity of the data source from which the connection was requested and determine whether the identity

matches the identity of any other of the plurality of data sources (see adapter 523 determine connection association on column 4 line 15-27).

As per claim 3, Ng discloses the system as recited in claim 2, wherein the data source ID manager is further configured to determine whether any of the data sources with matching identities previously supplied a connection to the application and, if a connection was previously supplied, to return the previously supplied connection to the application (see connecting with physical connection associated with the transaction step 76 on column 4 line 20-23).

As per claim 4, Ng discloses the system as recited in claim 3, wherein if no connection from a data source with a matching identity exists, the data source is configured to forward the request to a corresponding data source to obtain a new connection (see create new physical connection step 80 on column 4 line 15-20).

As per claim 5, Ng discloses the system as recited in claim 4, wherein the connection is a local connection (see physical connection on column 4 line 15-27).

As per claim 8, Ng discloses the system as recited in claim 1, wherein the application server is configured to instantiate a data source proxy for an abstract name of a data resource used by an application; ascertain an identity for the data source; and

use the identity to link the proxy to the data source (see global transaction identifier on column 4 line 1-10).

As per claims 9, 15, 21, Ng discloses the system as recited in claim 8, wherein multiple data source proxies correspond to the same data source identity, wherein in response to the application requesting connections with a same data resource from multiple data source proxies, the data source proxies from which the connections were requested are configured to forward the connection requests to the data source whose identity corresponds to said proxies (see determine association on column 4 line 15-22).

As per claim 10, Ng discloses the system as recited in claim 1, wherein in response to a request to instantiate a data source corresponding to an abstract name, the application server is configured to determine an identity for the proposed data source, determine whether any existing data source has a matching identity, instantiate the proposed data source only if no existing data source with matching identity is found (see create new physical connection step 80 on column 4 line 17-22).

As per claims 11, 16, 22, Ng discloses the system as recited in claim 1, wherein the application server further comprises a transaction manager (see transaction manager 124, 144, 164 on column 3 line 10-19); wherein in response to a request to commit a transaction the transaction manager is configured to identify a number of data resources participating in the transaction according to connections supplied for unique

data source identities; wherein if the number of data resources participating in the transaction is two or more the transaction manager is configured to commit the transaction utilizing a two-phase commit protocol (see two-phase commit protocol on column 1 line 31-43); and wherein if only one data resource participating in the transaction the transaction manager is configured to commit the transaction utilizing a one-phase commit optimization (see column 1 line 25-30).

Claims 6-7, 13-14, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng as applied to claim 1 above, further in view of Felt et al. U.S. Patent Number 7,080,119 B2 (hereinafter Felt), and further in view of Yousefi'zadeh U.S. Patent Application Publication Number 2004/0030739 A1 (hereinafter Yousefi'zadeh).

As per claims 6-7, 13-14, 19-20, Ng discloses checking of a requested connection is associated with a pre-existing virtual connection. Ng does not disclose expressly the identity comprise values for data source properties. Yousefi'zadeh teaches the use of data source properties such as URL, name of database, and user name to identify connection as they are created (see page 8 section [0078]). Ng and Yousefi'zadeh are analogous art because they are from the same field of endeavor, JDBC database connection management systems. At the time of the invention it would have been obvious to a person of ordinary skill in the art to use data source properties to identify connections. The motivation for doing so would have been to use pertinent

and readily available values to identify data source. Therefore, it would have been obvious to combine Ng with Yousefi'zadeh to obtain the identity for the data source to obtain the invention as specified in claims 6-7, 13-14, 19-20.

(10) Response to Argument

Claims 1, 3-5, and 8-11

(A) The appellant asserts that Ng in view of Felt fails to teach or suggest an application server that comprises: an application configured to initiate request for connections with a plurality of distinct data resources. The examiner disagrees. Ng discloses the Java Database Connectivity or JDBC application server assigning a global transaction identification with each transactions and associating each data source with an identifier (see column 4 line 1-9). Ng does not disclose expressly the use of distinct data resources and use of an identifier to delegate the task to a distinct data sources. Felt teaches the delegation of a commit server and participating server from a plurality of servers to fulfill the request of the client request in a JDBC network environment (see selecting a commit server and participating server on column 8 line 60 to column 9 line 14). Ng and Felt are analogous art because they are from the same field of endeavor, JDBC network management system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate distinct data resources to fulfill client application requests. The motivation for doing so would have been to select the best suitable distinct data resources to perform the requested task. Therefore, it would have been obvious to combine Ng with

Felt for the benefit of using plurality of distinct data resources to obtain the invention as specified in the independent claims.

(B) The appellant asserts that Ng in view of Felt fails to teach wherein each identity is unique to one of the plurality of distinct data resources, and wherein multiple ones of the data resources have the same identity. The examiner disagrees. Felt teaches the use of single identity with a Transaction Manager that delegates task to multiple Resource Managers (see Transaction Manager and Resource Managers on column 6 line 30-42). Felt discloses a multiple data sources or Resource Managers are accessed through a single Transaction Manager.

(C) The appellant asserts that there is no motivation to combine Ng with Felt because Ng's invention is specifically designed not to use JDBC 2.0 and Ng take requests for multiple connections with the same database. The examiner disagrees. Right in the beginning Ng discloses the protocols of Java Database Connection (JDBC) 1.0 and 2.0 and their respective uses (see column 1 line 11-50 and Figure 1 and 2). Ng clearly discloses both JDBC 1.0 and 2.0 connectivity protocol are well known and expected in the art for JDBC connectivity and thus could easily be interchanged for respective desired uses.

Claim 2:

(D) The appellant asserts that Ng in view of Felt fails to teach or suggest a data source ID manager is configured to ascertain the identity of the data source from which the connection was requested and determine the identity matches the identity of any other of the plurality of data sources. The examiner disagrees. Ng discloses the

use of a global transaction identifier with physical connection to the database (see column 4 line 2-10). The global transaction identifier with associated physical data sources and connections are checked for matches (see column 4 line 11-27 and Figure 7).

Claims 12, 15, 16, and 18:

(E) The appellant asserts that Ng in view of Felt fails to teach ascertaining an identity of a data source associated with a request for a connection, wherein the data source is configured to provide the connection to one of a plurality of distinct data resources. The examiner disagrees. Felt teaches the use of single identity with a Transaction Manager that delegates task to multiple Resource Managers (see Transaction Manager and Resource Managers on column 6 line 30-42). Felt discloses a multiple data sources or Resource Managers are accessed through a single Transaction Manager. The appellant also asserts that Ng in view of Felt fails to teach comparing said identity of the data source requested to provide identity of data resources with existing directions. The examiner disagrees. Ng discloses the global transaction identifier with associated physical data sources and connections are checked for matches during the request for connection (see column 4 line 11-27 and Figure 7).

Claims 17 and 21-23:

(F) The appellant asserts that Ng in view of Felt fails to teach or suggest receiving a request for a connection and attempt to identify a data source that is already

participating in the transaction by comparing the identity of the plurality of data sources; sharing an existing connection associated with the identity if a data source with a matching identity is found; or providing a new connection if no data source with a matching identity is found. The examiner disagrees. Nq discloses the global transaction identifier with associated physical data sources and connections are checked for matches during the request for connection (see column 4 line 11-27 and Figure 7). Nq discloses a physical connection source match is found (see step 76 in Figure 7). Nq also discloses a creating a new physical connection source and global transaction identifier in the mapping if no match is found (see step 80 in Figure 7).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Alan Chou
Examiner
Art Unit 2451
ASC
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